

CPH

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

2007 OCT -2 AM 9:42

UNITED STATES OF AMERICA,

Plaintiff,

v.

Jose De Jesus SANCHEZ-Perez,

Defendant

) Magistrate Docket No. '07 MJ 2354  
) SOUTHERN DISTRICT OF CALIFORNIA

) BY LP COMPLAINT FOR VIOLATION OF:

) Title 8, U.S.C., Section 1326

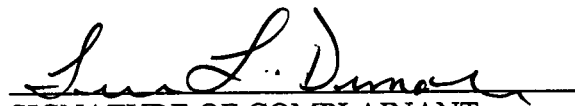
) Deported Alien Found in the

) United States

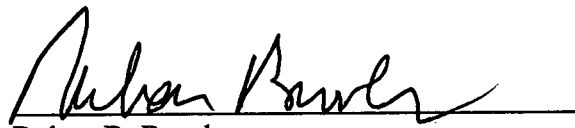
The undersigned complainant, being duly sworn, states:

On or about **October 1, 2007** within the Southern District of California, defendant, **Jose De Jesus SANCHEZ-Perez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
SIGNATURE OF COMPLAINANT  
Terri L. Dimolios  
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 2nd DAY OF OCTOBER,  
2007

  
Ruben B. Brooks  
UNITED STATES MAGISTRATE JUDGE

CPH

**CONTINUATION OF COMPLAINT:****Jose De Jesus SANCHEZ-Perez****PROBABLE CAUSE STATEMENT**

On October 1, 2007, at approximately 6:00 A.M., Border Patrol Agent Lebron was performing line watch duties near an area known as "The Saddle". "The Saddle" is approximately five miles west of the San Ysidro, California, Port of Entry and is approximately half a mile north of the United States / Mexico International Boundary Fence. "The Saddle" is an area notoriously used by undocumented individuals attempting to further their illegal entry into the United States.

Dispatch relayed via service radio of a seismic intrusion device activation in the area. Agent Lebron responded to the area and found footprints of one individual heading northeast from the area. Agent Lebron followed the footprints and found one individual trying to conceal himself in some brush. Due to Agent Lebron's previous experience in working traffic in this area, and the seismic intrusion activation, Agent Lebron approached the individual and identified himself as a Border Patrol Agent and questioned the individual as to his country of citizenship and nationality. The individual later identified as the defendant **Jose De Jesus SANCHEZ-Perez**, freely admitted to being a citizen and national of Mexico and that he possessed no immigration documentation permitting him to enter or remain in the United States legally. The defendant was arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **June 5, 2004** through **Laredo, Texas**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda Rights and he stated that he understood his rights and was willing to answer questions without an attorney present. Once again, the defendant freely admitted to being a citizen and national of Mexico illegally in the United States and not in the possession of any immigration documents allowing him to enter or remain in the United States.